

**FILED
UNDER
SEAL**

Prob12C
D/NV Form
Rev. March 2017

United States District Court
for
the District of Nevada

PETITION FOR SUMMONS
FOR OFFENDER UNDER SUPERVISION

Name of Offender: **Joseph Skeirik**

Case Number: **2:18CR00251**

Name of Sentencing Judicial Officer: **Honorable Richard F. Boulware**

Date of Original Sentence: **November 6, 2019**

Original Offense: **Felon in Possession of a Firearm**

Original Sentence: **18 Months prison, followed by 36 Months TSR.**

Date Supervision Commenced: **April 13, 2020**

Name of Assigned Judicial Officer: **Honorable Richard F. Boulware**

PETITIONING THE COURT

☒ To issue a summons:

The probation officer believes the offender has violated the following condition(s) of supervision:

1. **Report Within 72 Hours** - You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.

Skeirik was released from custody of the Bureau of Prisons on April 13, 2020 and failed to report to the United States Probation Office within 72 hours.

RE: Joseph Skeirik

Prob12C
D/NV Form
Rev. March 2017

2. **Do Not Unlawfully Use Controlled Substance** - You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court, not to exceed 104 tests annually.
 - A. On April 22, 2020 Skeirik verbally admitted to the undersigned officer that he used methamphetamine last on April 19, 2020, after his release from custody.
 - B. On April 23, 2020 Skeirik was instructed by the undersigned officer to report to Westcare on the same date to submit a drug test, which was to be his first within 15 days of release from imprisonment, and he failed to do so.
3. **Follow Instructions Of Probation Officer** - You must follow the instructions of the probation officer related to the conditions of supervision.
 - A. On April 23, 2020 Skeirik was instructed by the undersigned officer to report to Westcare on the same date to submit a drug test, which he failed to do.
 - B. On April 22, 2020 Skeirik was instructed by the undersigned officer to call the random drug test line daily after 6:00 PM and follow the directions to determine if he was required to report for a random drug test and if required, he must report for a drug test as directed. Skeirik has not called the random drug test line any since given the instructions to call daily.
 - C. On April 23, 2020 Skeirik was instructed by the undersigned officer to report to CARE for assessment and intake to begin treatment on April 24, 2020 at 1:00 PM and he failed to do so.
4. **Drug Testing** – You must submit to substance abuse testing, at least 3 times per week for the entire term of your supervision to determine if you have used a prohibited substance. *Testing shall not exceed 104 tests per year.* You must not attempt to obstruct or tamper with the testing methods.

Skeirik failed to attend drug testing as required on the following dates:

- April 23, 2020
- April 24, 2020

5. **C.A.R.E. Program** – You shall participate in the C.A.R.E. Program for a period of up to seven months as approved and directed by the probation officer. While participating in the program, if you test positive for alcohol, or any controlled substance, and/or any form

RE: Joseph Skeirik

Prob12C
D/NV Form
Rev. March 2017

of synthetic marijuana or synthetic stimulants, you will be taken into custody for a minimum period of seven days.

On April 24, 2020, Skeirik failed to participate in the CARE Program when he failed to report for intake and assessment as instructed by the undersigned officer.

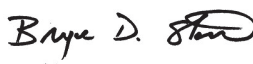
U.S. Probation Officer Recommendation:

The term of supervision should be:

☒ Revoked


I declare under penalty of perjury that the information contained herein is true and correct,

Executed on **April 28, 2020**

 Bryce Darrell Stark
2020.04.28
11:32:36 -07'00'

Bryce D. Stark
United States Probation Officer

Approved:

 Benjamin Johnson
2020.04.28 10:40:36
-07'00'

Benjamin B. Johnson
Supervisory United States Probation Officer

RE: Joseph Skeirik

Prob12C
D/NV Form
Rev. March 2017

THE COURT ORDERS

- ☐ No Action.
- ☒ The issuance of a warrant.
- ☐ The issuance of a summons.
- ☐ Other:



RICHARD F. BOULWARE, II
United States District Judge

June 4, 2020

Date

RE: Joseph Skeirik

Prob12C
D/NV Form
Rev. March 2017

**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
UNITED STATES V. JOSEPH SKEIRIK, 2:18CR00251**

**SUMMARY IN SUPPORT OF PETITION FOR SUMMONS
April 28, 2020**

Skeirik was released from federal custody on April 13, 2020 to start his term of supervised release. He failed to contact the United States Probation Office within 72 hours of his release as required. He was contacted by the undersigned officer on April 21, 2020, through his mother's cellular telephone and advised he was residing with her at an address previously approved through a release plan. He indicated that he did not know he was to report within 72 hours but admitted that he was given the updated information regarding his mother's address from the same letter with reporting instructions submitted to the Bureau of Prisons (BOP) case manager.

Skeirik completed his intake to supervised release by telephone with the undersigned officer on April 22, 2020. On the same date, Skeirik admitted verbally that he used methamphetamine on April 19, 2020, after his release from BOP custody. On that date, he was given specific instructions on how to call the drug test line daily and was emailed a document with instructions, which he signed and returned by fax the following day. Skeirik has failed to call the drug test line since the onset of supervision. Skeirik was also emailed other pertinent documents to sign that were reviewed on April 22, 2020, and returned documents signed by fax on April 23, 2020.

On April 23, 2020, Skeirik was verbally instructed by the undersigned officer to submit a drug test at Westcare on the same date, and to report to CARE on April 24, 2020 at 1:00 PM for intake and assessment to the program. At 4:13 PM, Skeirik texted the undersigned officer and advised he was on his way to Westcare from "Centennial" to drug test. Westcare, which closed at 7:00 PM, advised on April 24, 2020 through their records that Skeirik failed to report to submit a drug test as instructed on April 23, 2020.

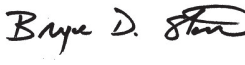
On April 24, 2020, attempts to contact Skeirik by telephone were unsuccessful. A text message was sent to his mother's phone, which he previously stated he was in possession of and was his means of communication with probation asking him why he failed to submit a drug test the following day and what the reason for his noncompliance was. A voice message was also left for him to return his call. Skeirik did not respond to the text or attempted calls and voice messages left on his phone. He also failed to attend or participate in his intake and assessment at CARE on the same date and failed to call CARE or the undersigned officer with a reason or need to reschedule.

Skeirik has ceased communication with the United States Probation Office and is noncompliant with drug testing and treatment. Because of Skeirik's failure to initially report to supervised release, unwillingness to participate in substance abuse treatment, and refusal or failure to submit to a drug test, it is respectfully recommended that the petition be accepted and a summons be issued to appear, so that revocation proceedings may begin. It is noted that due to his drug use and criminal history it is believed that he is a danger to the community and a flight risk.

RE: Joseph Skeirik


Prob12C
D/NV Form
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Respectfully submitted,

 Bryce Darrell Stark
2020.04.28
11:33:14 -07'00'

Bryce D. Stark
United States Probation Officer

Approved:

 Benjamin Johnson
2020.04.28 10:40:58
-07'00'

Benjamin B. Johnson
Supervisory United States Probation Officer